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7 *Attorneys for Carrington Mortgage*  
8 *Services, LLC*

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 CARRINGTON MORTGAGE SERVICES,  
12 LLC,

13 Plaintiff,

14 vs.

15 PELICAN CREEK OWNERS ASSOCIATION;  
DOE INDIVIDUALS I-X, inclusive, and ROE  
16 CORPORATIONS I-X, inclusive,

17 Defendants.

Case No.: 2:18-cv-00171-JCM-CWH

STIPULATED JUDGMENT

18 Carrington Mortgage Services, LLC and Pelican Creek Owners Association (**HOA**) stipulate  
19 and agree as follows:

20 1. Tommy E. Moon and Marlene W. Moon executed a deed of trust dated May 20,  
21 2009, in favor of Taylor, Bean & Whitaker Mortgage Corp., encumbering real property commonly  
22 known as 5030 Paradise Harbor Place, North Las Vegas, Nevada 89031, designated assessor's parcel  
23 no. 124-32-713-022. Mortgage Electronic Registration Systems, Inc. (**MERS**) was listed as the  
24 designated beneficiary under the deed of trust. This deed of trust was recorded in the Clark County  
25 Recorder's Office on May 29, 2009, as Instrument No. 20090529-0006483 (**Deed of Trust**).  
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1           2.       On January 4, 2012, MERS assigned the Deed of Trust to Bank of America, N.A,  
2 successor by merger to BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing,  
3 LP (**Bank of America**) via an Assignment of Deed of Trust, which was recorded in the Clark  
4 County Recorder's Office on January 5, 2012, as Instrument No. 201201050001423.

5           3.       On December 12, 2016, Bank of America assigned the Deed of Trust to Carrington  
6 via an Assignment of Deed of Trust, which was recorded in the Clark County Recorder's Office on  
7 December 14, 2016 as Instrument No. 20161214-0002573.

8           4.       On March 11, 2014, the HOA obtained an ownership interest in the property at a  
9 foreclosure sale conducted by Absolute Collection Services, LLC (**Absolute**), on behalf of the HOA  
10 (**HOA Foreclosure Sale**), as evidenced by the Foreclosure Deed recorded in the Clark County  
11 Recorder's Office on March 13, 2014, as Instrument No. 20140313-0000910.

12           5.       The Parties stipulate and agree that the interest the HOA acquired at the HOA  
13 Foreclosure Sale remains encumbered by the Deed of Trust.

14           6.       The Parties stipulate and agree that the Deed of Trust remains a valid and enforceable  
15 lien against the Property.

16           7.       The Parties stipulate and agree that the Deed of Trust is the senior lien encumbering  
17 the Property.

18           8.       The Parties therefore agree that the entry of this Stipulated Judgment fully resolves  
19 the Parties' claims in this action, and the Parties agree to dismiss with prejudice any remaining  
20 claims that were brought or that could have been brought in the above-captioned matter.  
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9. Each party shall bear its own attorneys' fees and costs.

IT IS SO STIPULATED AND AGREED.

DATED this 9<sup>th</sup> day of November, 2018.

<b>AKERMAN, LLP</b>	<b>HALL JAFFE &amp; CLAYTON, LLP</b>
<u>/s/ Natalie L. Winslow</u>	<u>/s/ Ashlie L. Surur</u>
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**ORDER**

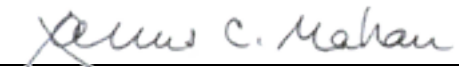
Based on the Parties' stipulations, **IT IS HEREBY ORDERED** the HOA's interest in the property located at 5030 Paradise Harbor Place, North Las Vegas, Nevada 89031, APN 124-32-713-022, as evidenced by the Foreclosure Deed recorded in the Clark County Recorder's Office on March 13, 2014, as Instrument No. 20140313-0000910, is encumbered by the Deed of Trust recorded in the Clark County Recorder's Office on May 29, 2009, as Instrument No. 20090529-0006483.

**IT IS FURTHER ORDERED** that the Deed of Trust recorded in the Clark County Recorder's Office on May 29, 2009, as Instrument No. 20090529-0006483, remains a valid and enforceable lien encumbering the property located at 5030 Paradise Harbor Place, North Las Vegas, Nevada 89031, APN 124-32-713-022, and is the senior lien encumbering that property.

**IT IS FURTHER ORDERED** that all claims that were asserted or that could have been asserted in the above-captioned matter are dismissed, with prejudice. Each party shall bear its attorneys' fees and costs.

**IT IS FURTHER ORDERED** that the lis pendens recorded against the property as Instrument No. 201801310004777 is expunged.

DATED: November 16, 2018.

  
UNITED STATES DISTRICT COURT JUDGE